Supreme Court, U.S.
FILED
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No. 10-1057

In The

Supreme Court of the United States

In Re:

ARTHUR O. ARMSTRONG

Petitioner

On Petition For A Writ Of Mandamus
To The United States Court Of Appeals
For The Fourth Circuit
10-2000 (L)

PETITION FOR A WRIT OF MANDAMUS

Arthur O. Armstrong, Pro Se
8113 Pleasant Hill Road
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QUESTIONS PRESENTED

Is petitioner entitled to relief under Rule 21 of the Federal Rules of Appellate Procedure when petition is not frivolous and case has merit

Can a petitioner get relief under Rule 21 of the Federal Rules of Appellate Procedure when there is no plain, speedy and adequate remedy in the ordinary course of the law other than the issuance of a writ and mandamus.

Can District Court deny petitioner's valid motions for leave to file motion for relief, pursuant to Rule 60 (b) (6) of the Federal Rules of Civil Procedure for Constitutional and Statutory Violations.

PARTIES TO THE PROCEEDINGS

Petitioner

Arthur O. Armstrong

Respondents

United States Court of Appeals for the Fourth Circuit
Judge Motz
Judge King
Judge Duncan

State of Louisiana/ North Carolina
United Companies Lending Corporation
Connie Inverstine, Benjamin S. Marks, H. Terry Hutchens, Jeff Herbin, Jane Corbin
Guilford County David L. Churchill Joan Doe B. J. Barnes John Doe Joan Doe

City of Greensboro
Koury Corporation
Mo Milani Matthew Martin, Bill Jessup, Chris DePriest

City of Greensboro
Sylvester Daugherty
R. G. Bateman, Joan Doe,
County of Guilford
Magistracy office
Joan Doe
Sheriff B. J. Barnes, Deputy Sheriff, John Doe, Julie B. Antonelli

City of Greensboro
Greensboro Police Department
Sylvester Daugherty
Watson, Cook

City of Durham
Durham Police Department
Jose Lopez, Sr.
M. H. Goodwin,
County of Durham
Mike Nifong, District Attorney Office
Assistant Attorney

United States:
United States District Court
Barack Obama
William L. Osteen

City of Greensboro:
Greensboro Police Department
Sylvester Daugherty D. W. Scott, Ernest J. Albright
and John Doe

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OPINION BELOW

The order of the United States Court of Appeals for The Fourth Circuit denying petition for rehearing is reported at **App.** 1.

BASIS FOR JURISDICTION IN THIS COURT

The decision of the United States Court of Appeals for the Fourth Circuit denying petition for a writ of mandamus was entered October 27, 2010 **App. 4***

Petitioner's petition for rehearing was timely filed on November 1, 2010. The United States Court of Appeals for the 4th Circuit denying petition for rehearing was entered on November 29, 2010 . **App.** 1.

This petition for a writ of mandamus was filed

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*On August 3, 2010, petitioner file motion for leave to file a new petition for a writ of mandamus within 90 days of the date the United States Court of Appeals for the Fourth Circuit denying petitioner timely filed petition for rehearing. As such, this petition for a writ of mandamus is timely filed under Supreme Court of the United States Rule 13.3.

This Court has jurisdiction pursuant to 28 U.S.C. Statute 1254 (1).

PROVISIONS INVOLVED

United States Constitution, Amendments IV

The right of the people to be secure in their person, homes paper and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue except upon probable cause, supported by OATH or affirmation, and particularly describing the place to be searched, and the person or thing to be seized.

United States Constitution, Amendment XIV.
All person born or nationalized in the United States and subject to the jurisdiction thereof are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge and privileges or immunities of citizens of the United States, nor shall any State deprive any person of life liberty or property without due process of law nor deny any person within jurisdiction the equal protection of the laws

Federal Rule of Civil Procedure 56 (a)

RULE 56 OF THE FEDERAL RULES OF CIVIL PROCEDURE

(a) Motion for summary judgment.

A party may move for summary judgment, identifying each claim or defense-or the part of each claim, or defense on which summary judgment is sought. The court shall grant summary judgment if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court should state on the record the reasons for granting or denying the motion.

Federal Rules of Civil Procedure 60 (b) (6)

RULE 60, RELIEF FROM A JUDGMENT OR ORDER

(b) Grounds for Relief from a Final Judgment, Order, or Proceeding.

On Motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons.
(1) mistake, inadvertence, surprise, or excusable neglect;

the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court should state on the record the reasons for granting or denying the motion.

Federal Rules of Civil Procedure 60 (b) (6)

RULE 60, RELIEF FROM A JUDGMENT OR ORDER

(b) Grounds for Relief from a Final Judgment, Order, or Proceeding.

On Motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons.

(1) mistake, inadvertence, surprise, or excusable neglect;

(2) newly discovered evidence that, with reasonable diligence, could not have been discovered

(2) newly discovered evidence that, with reasonable diligence, could not have been discovered in time to move for a new trial under Rule 59(b);

(3) Fraud (whether previously called intrinsic or extrinsic) misrepresentation, or misconduct by an opposing party;

(4) the judgment is void;

(5) the judgment has been satisfied, released, or discharged; it is based on an earlier judgment that has been reversed or vacated; or applying it prospectively is no longer equitable; or

(6) any other reason that justifies relief.

STATEMENT OF THE CASES

These cases involve motions for relief, pursuant to Rule 60 (b) (6) of the Federal Rules of Civil Procedure, for finality purposes, of certain orders of dismissal that disposed of the Armstrong Petitioner's lawsuits.

The Armstrong Petitioner was plaintiff in the civil rights litigations. App. 11.

In general the cases are rooted in complex core question concerning civil rights where defendants had deprived plaintiff of rights, privileges and amenities without due process of law.

In the course of the litigation, district court entered orders denying Armstrong Petitioner's motions for summary judgment for failure to state a claim. App. 18-22..

Armstrong Petitioner, without perfecting the appeal, appealed the decisions to the United States Court of Appeals for the Fourth Circuit.

The Court of Appeals for the Fourth Circuit denied a series of motions for petitions for a writ of mandamus, including petition for rehearing, on procedural grounds. App. 1.

These (7) seven consolidated cases App. 11. 2:95-CV-00434, 2:96-CV-00087, 2:96-CV-00855, 2:97-CV-1028, 1:98-MC-00059, 1:99-MC-00071, 1:00-MC-00050, and 1:00-MC-00123 were dismissed on procedural grounds are now perfected for litigation in the Court on Petition for a writ of mandamus ...rendering the Fourth Circuit and District Court's orders innocuous and null. App.1, 4, and 8.

In re:

Arthur O. Armstrong,

Petitioner

PETITIONER'S MOTION FOR LEAVE TO FILE 7 PETITIONS FOR A WRIT OF MANDAMUS

Arthur O. Armstrong, Petitioner moves this Court to grant his motions for leave to file his petitions for a writ of mandamus, submitted with these motions, the petitions being referred to and made a part of these motions for all practical purposes.

Petitioner requests that the petitions for writs of mandamus be filed and that they be set for hearings.

Petitioner further requests that the filing of the petitions, this Court order and direct respondents to Cease and desist from taking any further action or holding any further hearing in these seven (7) cases which are now pending in the United States District Court for the Middle District of North Carolina, pending the hearings and actions by this Court on the petitions.

Petitioner further requests any other relief or special relief to which he may be entitled.

February 3, 2011

Arthur O. Armstrong, Pro Se
8113 Pleasant Hill Road
Elm City, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear under penalty of perjury under United States laws that the foregoing statements are true and correct (28 U.S.C. 1746.)

Feb., 3, 2011 /s/ Arthur O. Armstrong, Petitioner

CERTIFICATE OF SERVICE

I certify that true and correct copies of motion for leave to file petitions for writ of mandamus were served on all counsel of record by United States Mail in an envelope with adequate postage affixed thereon to ensure delivery at:

REGULAR US MAIL :
William L. Osteen
United States District Court
For the Middle District of NC
324 West Market Street
Greensboro, NC 27401

Kari R. Johnson, Esq.
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Hal F. Askins, Esq.
North Carolina Department of Justice
9001 Mail Center
Raleigh, NC 27699-0001

Feb., 3, 2011 /s/ Arthur O. Armstrong, Petitioner

United Companies Lending Corporation:
10-2000 (L) 1-98-MC-00059.

PETITION FOR A WRIT OF MANDAMUS

1. **Relief sought**: Compel respondent to appropriately decide the pending matters

2. **Issues presented**: Fourth and Fourteenth Amendments and 42 U.S.C. 1983, 1985 & 1986.

3. **Facts**: On September 24, 1998, in Guilford Guilford County, North Carolina, Respondent United Lending Corporation foreclosed on Petitioner's 309 Leland Drive residential property when respondent Connie Inverstine, UC Lending Corp. litigation specialist made false reports to respondent Clerk of Guilford County Court that Petitioner had a December 6, 1995 loan transaction and defaulted on the original $86,000.00 loan and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal

Protection Clause and respondent Clerk of Superior Court, sold Petitioner's 309 Leland Drive residential property without due process of law In violation of the Fourteenth Amendment to the Constitution of the United States.

On April 29, 1999, respondent B.J. Barnes conspired to go in disguise on the premise of petitioner for the purpose of depriving, either directly or indirectly, petitioner of equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities within any State or Territory from giving or securing to petitioner within such State or Territory the equal protection of the laws, when respondent without probable cause, made an entry, without a warrant, onto private areas of personal premise of petitioner, searched and seized his property and invaded his privacy, in violation of

the Fourth Amendment to the Constitution of the United States. Then kicked petitioner out of his residential property without due process of law in violation of the Fourteenth Amendment to the Constitution of the United States. App. 23.

3. Reasons for granting the petition

(a). Petitioner has no plain, speedy and adequate remedy in the ordinary course of law other than the issuance of a writ of mandamus.

(b) It gives finality of the case in favor of Petitioner and therefore satisfies or conform to the requirements of, due process law.

(c) Respondents have a duty of public nature and the duty to rule in petitioner's favor is imperative and not discretionary.

Koury Corporation. 10-2001 (2:96-CV-00087).

PETITION FOR A WRIT OF MANDAMUS

1. **Relief Sought**: Compel respondent to appropriately decide the pending matters.

2. **Issue presented**: Fourteenth Amendment and 42 U.S.C. 1983, 1985 and 1986 violations.

3. **Facts:** Respondents acted in a conspiracy. In the furtherance of such a conspiracy, on November 30 and December 1, 1995, respondent failed to conform to the requirements of the federal constitution and laws of the United States when respondents acted with reckless indifference and wanton disregard to the truth or falsity and the rights of petitioner and others when respondents made false reports that petitioner acted with disturbances and other conduct amounting to official discrimination clearly sufficient to constitute denial

of rights protected by the Equal Protection Clause and denied petitioner accommodation to the Holiday Inn Hotel Complex without due process of law in violation of the Fourteenth Amendment to the Constitution of the United States. App. 35.

4. **Reason for granting the petition**:

(a) Petitioner has no plain, speedy and adequate remedy in the ordinary course of law other than the issuance of a writ of mandamus.

(b) It would prevent the defects of justice

(c) It gives finality to the case.

(d) It would satisfy the requirements of due process of law.

R. G. Bateman, 10-2002, 1:00-MC-00050

PETITION FOR A WRIT OF MANDAMUS

1. **Relief sought**: Compel the respondent, to appropriately, decide the pending matter.

2. **Issue presented**: Fourth and Fourteenth Amendments and 42 U.S.C. 1983, 1985 & 1986.

3. **Facts**: Respondents acted in a conspiracy. In the furtherance of such a conspiracy Respondents conspired to go in disguise on the highway for the purpose of depriving, either directly or indirectly, petitioner of equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constitute authorities within any State or Territory from giving or securing to petitioner within any State of Territory the equal protection of the laws, when respondent, without probable cause, stopped and

detained petitioner, made an entry, without a warrant, onto private areas of personal premise of petitioner, searched and seized his property, invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States.

On June 2, 2000, respondent, magistrate office, without probable cause, on false reports that petitioner failed to appear, arrested petitioner and jailed him for two days in violation of the Fourteenth Amendment to the Constitution of the United States. App, 49.

4. **Reasons for granting the petition**:

(a) Petition has no plain, speedy and adequate remedy in the ordinary course of the law other than the issuance of a writ of mandamus.

(b) It cures all defects of justice.

(c) It serves as a finality of the case and avoids petitioner's aggrieves from the denial of his constitutional rights.

(d) Failure to act would forever frustrate the ability of petitioner to have his valid case heard and forever frustrate the ability of the Court to exercise its appellate jurisdiction.

Watson and Cook, 10-2003, 96-CV-00855

PETITION FOR A WRIT OF MANDAMUS

1. **Relief Sought**: Compel the respondent, to appropriately, make decision in the pending matter.

2. **Issue presented**: Fourth and Fourteenth Amendments and 42 U.S.C. 1983, 1985 and 1986.

3. **Facts**: Respondents acted in a conspiracy: In the furtherance of such a conspiracy, respondents conspired to go in disguise on the premise of the petitioner for the purpose of depriving, either directly or indirectly, the petitioner of equal protection of the law, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities within any State or Territory from giving or securing to petitioner within any State or Territory the equal protection of the laws when respondent without probable cause,

trespassed on private areas of personal premise of petitioner, made an entry, without a warrant onto private areas of personal premise of petitioner, searched and seized his property and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States. App. 67.

4. Reason for granting the petition:

(a) Petitioner has no plain, speedy and adequate remedy in the ordinary course of the law other than the issuance of a writ of mandamus.

(b) It cures all defects of justice

(c) It gives the finality of this case.

M. H. Goodwin, 10-2004 1-00-MC-00123

PETITION FOR A WRIT OF MANDAMUS

1. **Relief Sought:** Compel respondent, to appropriately, make a decision in the pending matter.

2. **Issue presented**: Fourth and Fourteenth mendments to the Constitution of the United States and 42 U.S.C. 1983, 1985 and 1985.

3. **Facts**: Respondents on January 12, 2000, acted with reckless indifference and wanton disregards for the truth and falsity and the rights of petitioner and others when respondent, without probable cause, stopped and detained petitioner, made an entry, without a warrant, onto private areas of personal premise of petitioner, searched and seized his property and invaded his privacy in violation of the Fourth Amendment to the Constitution of the

United States. Made false reports that petitioner's cted with DWLR and 71/65 and other conduct amounting to official discrimination clearly sufficient To constitute denial of rights protected by the Equal Protection Clause and took his driver's license without due process of law in violation of the Fourteenth Amendments to the Constitution of the United States. App. 81.

3. **Reasons for granting the petition:**

(a) Petitioner has no plain, speedy and adequate remedy in the ordinary course of the law other than the issuance of a writ of mandamus.

(b) It would prevent all defects of justice.

(c) It gives finality of the case.

(d) It would satisfy the requirements of due process of law.

The United States. 10-2005, 1:00-MC-00071,

PETITION FOR A WRIT OF MANDAMUS

1. **Relief Sought**: Compel respondents to, appropriately, make a decision on the pending matter.

2. **Issue presented**: Fourteenth Amendment and 42 U.S.C 42 1983

3. **Facts**: In an October 1, 1999 Order, respondent U. S. District Court Judge William L. Osteen denied Petitioner total access to the United States District Court for the Middle District of North Carolina until Petitioner paid $4,000.00 to Respondent Koury Corporation. App. 95.

4. **Reasons for granting the petition**:

(a) Petitioner has no plain, speedy and adequate remedy in the ordinary course of law other than the issuance of a writ of mandamus.

(b) It gives finality to the case.

(c) It cures all defects of justice

(d) It satisfies the requirements of due process of law.

D. W. Scott, 10-2006, 95-CV-00434

PETITION FOR A WRIT OF MANDAMUS

1. **Relief sought**: Seeks this Court to compel respondent to, appropriately, decide the pending matter

2. **Issue presented:** are constitutional and statutory violations including the Fourth and Fourteenth Amendments and 42 U.S.C. 1983, 1985 and 1986.

3. **Facts**: On September 25, 1992, in Guilford County, North Carolina, respondent Sylvester Daugherty "in his official capacity" failed to conform to the requirements of the federal constitution and laws of the United States when respondents conspired to go in disguise on the highway for the purpose of depriving, either directly or indirectly, Mr. Armstrong of equal protection of the laws or of equal privileges or immunities under the laws, or for the

purpose of preventing or hindering the constituted authorities within such State of Territory from giving or securing to Petitioner the equal protection of the laws when respondents made false reports and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause. App. 110.

4. **Reasons for granting the petition**

(a) Petitioner has no plain, speedy and adequate remedy in the ordinary course of the law other than the issuance of a writ of petition.

(b) It would prevent all defects of justice.

(c) It would give finality to the case and satisfy due process.

D. W. Scott, 10-2006, 95-CV-00434

PETITION FOR A WRIT OF MANDAMUS

1. **Relief sought**: Seeks this Court to compel respondent to, appropriately, decide the pending matter

2. **Issue presented:** are constitutional and statutory violations including the .Fourth and Fourteenth Amendments and 42 U.S.C. 1983, 1985 and 1986.

3. **Facts**- On September 25, 1992, in Guilford County, North Carolina, respondent Sylvester Daugherty "in his official capacity" failed to conform to the requirements of the federal constitution and laws of the United States when respondents conspired to go in disguise on the highway for the purpose of depriving, either directly or indirectly, Mr. Armstrong of equal protection of the laws or of equal privileges or immunities under the laws, or for the

purpose of preventing or hindering the constituted authorities within such State of Territory from giving or securing to Petitioner the equal protection of the laws when respondents made false reports and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights
protected by the Equal Protection Clause. App. 110.

4. Reasons for granting the petition

(a) Petitioner has no plain, speedy and adequate remedy in the ordinary course of the law other than the issuance of a writ of petition.

(b) It would prevent all defects of justice.

(c) It would give finality to the case and satisfy due process.

REASONS FOR GRANTING THE PETITIONS

Petitioner, as seen in this case, filed the complaints in the United States District Court for the Middle District of North Carolina asserting constitutional and statutory violations against varies respondents. The respondents moved the court for dismissal of plaintiff's Rule 56 (a) motions for summary judgment for failure to state a claim. Trial court in an order denied/dismissed the action. App. 18, 19, 20 and 21. In certain events, the trial court, on its own motions, denied the plaintiff's complaints. App. 22: specifically: Nos. 98-00059, 99-00071, 00-00050, 00-00123 for failure to comply with 97-CV-01028 and 99-CV-00825 injunctions.

In, perhaps, July, 2009, petitioner, after such unsuccessful litigation, emphatically, in all of his actions, stated a claim on which relief can be granted

in his Rule 56 (a) motions, curing the defect, but creating another.

Procedurally and pursuant to the injunctions, plaintiff is prohibited from litigating the same issue twice, but this is exactly what the plaintiff did and continued to write motions for summary judgment, stating the claims upon which relief could be granted, curing the defects, supposedly up and until July, 2009 when respondent district court on August 19, 2009 denied, again, all motions for summary judgment with prejudice which it had done multiple times before. App. 11.

Petitioner had no clue of what was going on and sought sanctuary in the Court of Appeals for the Fourth Circuit when he filed a series of motions for leave to file petition for a writ of mandamus, including the 10-2000 (L) motions to the United

States District Court, which were denied, requesting the court to compel district court to grant petitioner's motion for summary judgment in a closed case.

Requisite for opening a closed case for the purpose of litigation, petitioner must unlock the code. We have seen that motion for summary judgment failed to unlock the code or was not the instrument for unlocking the code, or reopening the case because it had already been used and denied; would make it repetitive, baseless and without merit and case would remain a closed case.

Petitioner did not perfect his appeal by moving with a Rule 60 (b) (6) of the Federal Rules of Civil Procedure in time for the granting of his petition, pursuant to Rule 21 of the Federal Rules of Appellate Procedure.

Petitioner has moved in district court with motion for relief, pursuant to Rule 60 (b) (6) of the Federal Rules of Civil Procedure.

60 (b) (6) motion gives the court a grand reservoir of equitable power to do justice in a particular case. Cook v Pierce & Co.

District court may grant a 60 (b) (6) motion only in extraordinary circumstances and only when such action is necessary to accomplish justice. Pierce v. Cook, & Company 518 F 2d 720, 722 (10th Cir., 1975) Cert. denied 423 US 1079, 96 S. Ct 866, 47 L Ed 89 (1976) (Quoting Radack v. Norwegian Line Agency, Inc., 318 F 2d 538 542 (2d Cir, 1963)

On motion and just term, the party may relieve a party or its legal representative from a final judgment, order or proceeding for the following reasons ...(6) any other reason that justifies relief - from manifest unjust in the initial order or judgment to accomplish justice.

Petitioner is entitled to relief, pursuant to Rule 60 (b) (6) of the Federal Rules of Civil Procedure on grounds that the initial judgments were manifestly unjust and that it denied Petitioner rights, privileges and amenities guaranteed under the federal constitution and the laws of the United States without due process of law which are extraordinary circumstances. **Pierce v Cooks & Company**. And petitioner is entitled to relief in his favor as a matter of law.

Failure to act would forever frustrate the ability of Petitioner's performance to have its valid case heard and forever frustrate the ability of the Court to exercise its appellate jurisdiction.

To deny petitioner's motion, for the purpose of Rule 60 (b) (6) would be in violation of due process of law . Simer v Rios 661 F.2d 655 (7th Cir. 1981, see

V.T.A., Inc v Airco, Inc, 597, E,2d 220, 225 (10th Cir., 1979). 11 Charles Alan Wright & Arthur Miller, Federal Practice and Procedure, Statute 2872 (1973).

Petitioner has no plain, speedy and adequate remedy in the ordinary course of the law other than the issuance of a writ of mandamus.

The ruling in petitioner's favor is imperative; not discretionary.

In LaChance v Erickson, 522 U.S. 262, 266 (1998) the core of due process is the right to notice and a meaningful opportunity to be heard. Petitioner's 60 (b) (6) motions provide such instrument for that purpose.

CONCLUSION

For the above and foregoing reasons, the Armstrong Petitioner respectfully requests' that the Court grant this petition for writ of mandamus.

Respectfully Submitted

Arthur O. Armstrong, Pro Se
8113 Pleasant Hill Road
Elm City, North Carolina 27822
252-236-7912

App. 1

Filed November 29, 2010

UNITED STATES COURT OF APPEAL
FOR THE FOURTH CIRCUIT

No. 10-2000 (L)

(1:98-mc-00059-WLO

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2001

(2:96-cv-00087 - WO-WWD)

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2002

(1:00-mc-00050-WO-WWD)

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2003

(2: 96-cv-00855-WO-WWD

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2004

(1:00-mc-00123-WO-WWD

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2005

(1:99-mc-00071)

In re: ARTHUR O. ARMSTRONG,

Petitioner

No. 10-2006

(2:96-cv-00434-WO-WWD)

In re: ARTHUR O. ARMSTRONG

Petitioner

ORDER

The Court denies the petition for rehearing.Entered at the direction of the panel: Judge Motz, Judge King and Judge Duncan.

For the Court

/s/ Patricia S. Connor, Clerk

App. 4

Filed October 27, 2010

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 10-2000 (L)

(1:98-mc-00059-WLO

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2001

(2:96-cv-00087 - WO-WWD)

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2002

(1:00-mc-00050-WO-WWD)

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2003

(2: 96-cv-00855-WO-WWD

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2004

(1:00-mc-00123-WO-WWD

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2005

(1:99-mc-00071)

In re: ARTHUR O. ARMSTRONG,

Petitioner

No. 10-2006

(2:96-cv-00434-WO-WWD

In re: ARTHUR O. ARMSTRONG

Petitioner

Order

Before Judge Motz, Judge King, and Judge Duncan, by order entered April 23, 2004 in Appeal No. 03-293, In re Armstrong, this Court enjoined petitioner from filing any future motions for leave to file a mandamus petition unless a panel of the Court decided that the petition was not frivolous andordered it filed within 30 days of submission of the motion; absent such action, the motion for leave to file the petition would be deemed denied.

Petitioner submitted seven motions for leave to file mandamus petitions, and these motions have been under consideration by a panel of the Court for more than 30 days without leave having been granted to file the petitions. Petitioner's motions for leave to file mandamus petitions and associated motions are, accordingly, denied.

For the Court

/s/ Patricia S. Connor, Clerk

App. 8

Filed September 14, 2010

UNITED STATES COURT OF APPEAL
FOR THE FOURTH CIRCUIT

No. 10-2000 (L)

(1:98-mc-00059-WLO

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2001

(2:96-cv-00087 - WO-WWD)

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2002

(1:00-mc-00050-WO-WWD)

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2003

(2: 96-cv-00855-WO-WWD

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2004

(1:00-mc-00123-WO-WWD

In re: ARTHUR O. ARMSTRONG

Petitioner

No. 10-2005

(1:99-mc-00071)

In re: ARTHUR O. ARMSTRONG,

Petitioner

No. 10-2006

(2:96-cv-00434-WO-WWD)

In re: ARTHUR O. ARMSTRONG

Petitioner

Order

The Court considerate Case No. 10-2000 (L) and Case Nos. 10-2001, 10-2002, 10-2003, 10-2004, 10-2005 and 10-2006.

For the Court, By Direction

/s/ Patricia S. Connor, Clerk

App. 11

Filed August 19, 2009

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA

ARTHUR O. ARMSTRONG

PLAINTIFF

2:95-CV434

Vs.

D. W. SCOTT

DEFENDANT

ARTHUR O. ARMSTRONG

PLAINTIFF

Vs. 2:96CV87

KOURY CORPORATION

DEFENDANT

ARTHUR O. ARMSTRONG

PLAINTIFF

Vs. 2:96CV855

CITY OF GREENSBORO

DEFENDANT

App. 12

ARTHUR O. ARMSTRONG

PLAINTIFF

Vs. **2-97CV1028**

KOURY CORPORATION

DEFENDANT

ARTHUR O. ARMSTRONG

PLAINTIFF

Vs. **1:98mc59**

UNITED COMPANIES, ET AL

DEFENDANT

ARTHUR O. ARMSTRONG

PLAINTIFF

Vs. **1:99-mc71**

UNITED STATES

DEFENDANT

ARTHUR O. ARMSTRONG,

PLAINTIFF

Vs. **1:00mc50**

JOHN DOE

DEFENDANT

ARTHUR O. ARMSTRONG

PLAINTIFF

Vs. **1:00MC123**

Durham Police Department

DEFENDANT

ORDER

In each of the above-referenced cases, Plaintiff, Arthur O. Armstrong, has filed a variety of motions seeking leave to file an amended complaint or motion for summary judgment, or otherwise reopen the case. Each of the above-referenced cases, 2:95CV434,

2:96CV87, 2:96CV855, 1:97CV1028, 1:98MC59, 1:99MC71, 1:00MC50 and 1:00mc123 was previously dismissed and sppealed. In each case, the district court has previously denied Plaintiff leave to proceed; in some cases leave has been denied multiple times.

This court in accordance to the injunctive order entered February 6, 2001, (1:97CV1028), has reviewed the pleadings filed by Plaintiff and determines that the pending motions fied by Plaintiff in each of the above-referenced cases are repetitious, frivolous, and completely without merits.

Accordigly, all pending motions filed by the Plaintiff, including but not limited to said. are **DENIED.**

For the Court

/s/ William L. Osteen, Jr.
United States District Court

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA

97-CV-1028

ARTHUR O. ARMSTRONG)
FILED FEB. 6, 2001
Vs.)
)
KOURY CORPORATION, et al)

ORDER AMENDING INJUNCTION

OSTEEN DISTRICT JUDGE

On June 12, 1998, this court entered an order and injunction for reasons stated therein, in an attempt to stop proliferation of frivolous and wasteful litigation by plaintiff. The court required plaintiff to procure leave of this court before filing any further action in this court.

The record will reveal that the plaintiff was hardly even slowed in his continuing attempt to institute litgation. Within the last few days, this court has considered and denied permission for the

plaintiff to commence approximately 20 new proceedings - most of which have previously been litigated and dismissed. While the court was considering these most recent requests, the court has been informed that at least two more have been filed with the clerk for this court's consideration.

The court finds it appropriate to amend the original injunction in an effort to relieve the strain upon the office of the clerk of this court.

IT IS THEREFORE ORDERED that the plaintiff Arthur O. Armstrong is relieved from his duty to procure court's approval before instutiting future litigation.

IT IS FURTHER ORDERED that for any litigation Plaintiff Arthur O. Armstrong desires to institute in this court, he shall present the pleadings to the clerk and pay to the clerk of court the required filing fee for instituting new litigation.

IT IS FURTHER ORDERED that upon filing of the new proceedings accompanying by the filing fee, the plaintiff shall not serve summons or copies of the complaint upon the defendants unless and until the court enters an order authorizing plaintiff Arthur O. Armstrong to proceed. The court will issue the order to proceed only if it determines that the litigation is not repetitious and not frivolous. The court may on its own initiative dismiss non-meritorious claims.

IT IS FURTHER ORDERED that all remaining unchanged portion of the original memorandum opinion and order and injunction not inconsistent herewith shall remain in full force and effect.

This the 6th day of February, 2001.

/s/ William L. Osteen
United States District Court

App. 18

Filed Nov. 15, 1995*

United States District Court
For the Middle District of North Carolina

ORDER

ARTHUR O. ARMSTRONG 95-CV-00434

Vs.

D. W. SCOTT, et al

Motion for summary judgment denied for failure to state a claim

/s/ William L. Osteen

App. 19

Filed August 12, 1997

United States District Court
For the Middle District
of North Carolina

96-CV-00855

ORDER

ARTHUR O. ARMSTRONG

Vs.

WATSON & COOK, et al

Motion for summary judgment denied for failure to state a claim

/s/ William L. Osteen

App. 20

Filed 1997

United States District Court
For the Middle District
of North Carolina

96-CV-00087

ORDER

ARTHUR O. ARMSTRONG

Vs.

KOURY CORPORATION, et al

Motion for summary judgment denied.

/s/ William L. Osteen

App. 21

Filed June 12, 1998

United States District Court
For the Middle District
of North Carolina

97-CV-01028

ORDER

ARTHUR O. ASRMSTRONG

Vs.

KOURY CORPORATION, et al

Motion for summary judgment granted in favor of defendants.

/s/ William L. Osteen

App. 22

Filed Nov., 13, 2000

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA

	) 98-00059
Arthur O. Armstrong	) 99-00071
	) 00-00050
Vs.	) 00-00123
	)
UC Lending Corp, et al	)

Complaints denied in accordance to June 12, 1998 Order

/s/ William L. Osteen

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
1:98-CV- 00059-WLO
(10-2000 (L)

ARTHUR O. ARMSTRONG	) PLAINTIFF'S
	) MOTION FOR LEAVE
Vs.	) TO FILE SUPPLENTAL
	) COMPLAINT
	) UC LENDING, et al

COMES NOW, Arthur O. Armstrong, the plaintiff named in this action and moves this Honorable Court for leave to file supplemental complaint pursuant to Rule 15 (d) of the Federal Rules of Civil Procedure, for reasons more fully set forth in plaintiff's motion for relief..

WHEREFORE, plaintiff prays that leave to file supplemental complaint be granted.

Respectfully submitted this 20th day of March, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of motion to file supplemental complaint was served on all counsel at the following address:

REGULAR US MAIL:

Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, NC 27699-0001

Kari R. Johnson, Esq.
Cranfill Sumner & Hartzog
5420 Wade Park Blvd Ste 300
Raleigh, NC 27611

March 20, 2009 /s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF
NORTH CAROLINA WESTERN
(DURHAM) DIVISION
1:98-CV-00059-WLO
10-2000 (L)

ARTHUR O. ARMSTRONG	) PLAINTIFF'S MOT ION
	) FOR LEAVE TO FILE
Vs.	) MOTION FOR RELIEF
	) WITH UC LENDING, et al
	) SUPPORTING
	) AFFIDAVIT AND
	) DOCUMENTATION
	) (BRIEF II)

COMES NOW, Arthur O. Armstrong, the plaintiff named in this action and moves this Honorable Court, with supporting affidavit and documentation, for leave to file motion for relief, pursuant to Rule 60 (b) (6) of the Federal Rules of Civil Procedure, on grounds that there is no genuine issue of material fact and that plaintiff is entitled to judgment in his favor as a mater of l aw.

IN SUPPORT HEREOF, plaintiff shows unto the Court that:

I. On August 4, 1998 plaintiff filed action alleging civil rights violations. Since then other events happened.

NOW THEREFORE, plaintiff files his Brief:

II. Defendant U C Lending Corporation "in its individual capacity," acted with Fourteenth Amendment violation (affidavit, p. 1, paragraph 6). As a direct and proximate result of defendant's action, plaintiff suffered damages in the sum of $100,000,000 (id., paragraph 7).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that leave to file motion for relief, pursuant to Rule 60 (b) (6) of the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this 20th day of March, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff,

OF COUNSEL:

ARTHUR O. ARMSTRONG, PRO SE
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear under penalty of perjury under United States laws that the statements are true and correct (28 U.S.C. 1746.)
March 20, 2009 /s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct motion was served at the following address:

Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, NC 27699-0001

Kari R. Johnson, Esq.
Cranfill Sumner & Hartzog
5420 Wade Park Blvd
P. O. Box 27808,
Ste 300
Raleigh, NC 27611

March 20, 2009 /s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF
NORTH CAROLINA WESTERN
(DURHAM) DIVISION

1:98-CV- 00059-WLO

(10-2000 (L)

ARTHUR O. ARMSTRONG, Plaintiff	)	CIVIL RIGHTS VIOLATION
Vs.	)	Supplemental Complaint
NORTH CAROLINA,	)	
U C LENDING CORPORATION,	)	
CONNIE INVERSTINE,	)	
JEFF CORBIN,	)	
JANE HASSELL,	)	
CLERK OF SUPERIOR COURT,	)	
JOAN DOE,	)	
SHERIFF'S DEPARTMENT,	)	
JOHN DOE,	)	
Defendants.	)	

Defendant alleges and says.

1. Plaintiff resides in the City of Elm City, County of Wilson, NC.

2. Defendant North Carolina is duly organized, existing and operating under the Constitution and laws of the United States and is liable for all damages

judgment entered against A corporation "in its individual capacity" as a result of an action brought against it under 42 U.S.C. 1983 by plaintiff who had been violated by its agents for transgression of the Fourteenth Amendment to the Constitution of the United States.

3. Defendant U C. Lending is a lending Institution with headquarters in Baton Rouge LA. In an action brought under 42 U.S.C. 1983, a judgment entered, against UC Lending Corporation "in its Individual capacity," imposes liability on the State of Louisiana, provided the State received notice and an opportunity to respond. **Brandon v Holt** (1985 US) 83 L Ed 2d 878, 105 S Ct 873 40 FR Serv 2d 861

4. Defendant Connie Inverstine is UC Lending litigation specialist;, Jane Hassell and Jeff Corbin are UC Lending agents/representatives who transgressed the Fourteenth Amendment.

5. Defendant Joan Doe is Clerk of Superior Court and John Doe is Guilford County Sheriff.

6. In an action brought under 42 U.S.C. 1983, a judgment entered against Clerk of Court Joan Doe and Sheriff John Doe "in "her - his official capacity" imposes liability on the public entity (she) (he) represents, the County of Guilford, provided the County received notice and an opportunity to respond. **Brandon v Holt** (1985 US) 83 L Ed 2d 878, 105 S Ct 873 40 FR Serv 2d 861.

7. The conduct complained of was engaged in under color of state law ands that such conduct subjected plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and the laws of the United States while engaged in the conduct complained of.

8. In Guilford County, N C, defendants, "in their individual/official capacity" acted with the Fourteenth Amendment violation when defendants failed to conform to the requirements of the federal constitution and the laws of the United States when defendants acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others, including but not limited to: arbitrariness, falsity, capriciousness, fraud, malice, RICO, deceit, misrepresentation, gross negligence, defamation, extortion and conspiracy and without a scintilla piece of fact or evidence, on September 24, 1998, UC Lending's Jane Hassell, Jeff Corbin and Connie Inverstine made false reports that plaintiff maintained a secured loan balance of $113, 687,60 with UC Lending Corporation and other conduct amounting to official discrimination, clearly sufficient to constitute denial of rights protected by the Equal Protection Clause.

9. Without a scintilla piece of fact or evident, in violation of the Fourteenth Amendment to the Constitution of the United States, on false reports, Clerk of Court Joan Doe, on September 24, 1998, in violation of the Equal Protection Clause, sold plaintiff's residential property to the highest bidder for $112,965.66 to H. Terry Hutchens without due process of law.

10. On April 29, 1999, defendant Sheriff John Doe made an entry without a warrant, onto private areas of personal premise of plaintiff, searched and seized his property, invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States.

11. As a direct and proximate result of defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, psychic injury and injury to his reputation. I pray for judgment in the sum of $100,000,000.

WHEREFORE, plaintiff prays for judgment in the sum of $100,000,000 as follows:

1. Compensatory and punitive damages in the sum of $100,000,000 under 42 U.S.C. 1983 - Civil Rights Act.

2. Intangible harm.

3. Attorney's fees under 42 U.S.C. 1988 - Attorney's Awards Act or as a component of punitive damages.

4. Costs and Expenses of this action and such other and further relief as the Court deems just and proper.

Respectfully submitted this 20th day of March, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

DEMAND JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleading in his action.

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
2:96-CV-00087-WLO
(10-2001

ARTHUR O. ARMSTRONG	) PLAINTIFF'S
	) MOTION FOR LEAVE
Vs.	) TO FILE MOTION TO
	) REOPEN CASE
	) KOURY CORPORATION, et al

COMES NOW, Arthur O. Armstrong, the plaintiff named in this action and moves this Honorable Court for leave to reopen case for reasons more fully set forth in plaintiff's motion for relief.

WHEREFORE, plaintiff prays that leave to reopen case be granted.

Respectfully submitted this 28th day of July, 2010.

Respectfully submitted.

/s/Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of motion for leave to reopen case was served at:

REGULAR US MAIL

Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, NC 27699-9001

Kari R. Johnson, Esq.
Cranfill Sumner & Hartzog
5420 Wake Park Blvd
P. O. Box 27808
Suite 300
Raleigh, NC 27611

July 28, 210 /s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
2: 96-CV-00087-WLO
(10-2001)

ARTHUR O. ARMSTRONG	)
	)
Vs.	) PLAINTIFF"S
	) MOTION FOR
KOURY CORPORATION	) LEAVE TO FILE
Et al	) AMENDED
	) COMPLAINT

COMES NOW, Arthur O. Armstrong, the plaintiff named in this case and moves this Honorable Court for leave to file amended complaint, pursuant to Rule 15 (a) of the Federal Rules of Civil Procedure, for reasons more fully set forth in plaintiff's motion for relief.

WHEREFORE, plaintiff prays that leave to amend plaintiff's complaint, be granted. Respectfully submitted this the 28th day of August, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of motion for leave to file amended complaint was served on all counsel of record at the following address:

REGULAR US MAIL:

Hal F. Askins, Esq.
Department of Justice
Boulevard
P. O. Box 27808
Suite 300
Raleigh, NC 27611

Kari R. Johnson, Esq.
5420 Wade Park
9001 Mail Center
Raleigh, NC 27699-0001

August 28, 2010 /s/Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
2:96-CV-00087-WLO
(10-2001)

ARTHUR O. ARMSTRONG	) PLAINTIFF'S
	) MOTION FOR LEAVE
Vs.	) TO FILE MOTION
	) FOR RELIEF,
KOURY CORPORATION	) WITH SUPPORTING
Et al	) AFFIDAVIT AND
	) DOCUMENTATION
	) **(BRIEF II)**.

COMES NOW, Arthur O. Armstrong,, the Plaintiff and named in this action and moves this Honorable Court, with supporting affidavit and documentation, for leave to file motion for relief pursuant to Rule 60 (b)(6) of the Federal Rules of Civil Procedure, on grounds that there is no genuine issue of material fact and that plaintiff is entitled to judgment in his favor as a matter of law.

IN SUPPORT HEREOF, plaintiff shows unto the Court that:

I. District court granted motion in favor of defendant, thereby ending the action,. Plaintiff amended complaint cures all defects.

NOW THEREFORE, plaintiff files his Brief:

II. Defendant manager Mo Milani, "in his official capacity" acted with racial discrimination and kicked plaintiff out of the Holiday Inn Hotel, without due process of law in violation of the Fourteenth Amendment to the Constitution of the United States (affidavit, p. 1, paragraph 7). Defendant acted with racial discrimination (id., paragraph 8) As a direct and proximate result of defendant's action, plaintiff was damaged in the sum of $125,000,000 (paragraph 9).

Summary:

Because of the foregoing, plaintiff respectfully requests that motion for leave to file motion for relief, pursuant to Rule 60 (b)(6) of the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this 28th day of August, 2009.

Respectfully submitted,

s/ Arthur O. Armstrong, Plaintiff

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear under penalty of perjury under United States laws that the statements are true and correct (28 U.S.C. 1746.)

August 28, 2009. /s/Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of plaintiff's motion was served on all counsel by depositing a copy of same in the United States mail with adequate postage affixed thereon to ensure delivery at the following address:

REGULAR U.S. MAIL:
Hal F. Askins.
North Carolina Department of Justice
Raleigh, NC 27699-9001

Kari R. Johnson
CRANFILL SUMNER & HARTZOG, L.L.P.
5420 Wake Park Boulevard
P. O. Box 27808
Suite 300
Raleigh, NC 27611

August 28, 2009. /s/Arthur O. Armstrong, Plaintiff

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
2: 96-CV-00087-WLO
(10-2001)

ARTHUR O. ARMSTRONG,	)	
PLAINTIFF,	)	
	)	CIVIL RIGHTS
Vs.	)	VIOLATION
	)	42 U.S.C. 1983
CITY OF GREENSBORO,	)	
KOURY CORPORATION,	)	Amended
Complaint		
MO MILANI, MATTHEW,	)	
MARTIN, BILL JESSUP,	)	
DEFENDANTS.	)	

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson, North Carolina.

2. Defendant City of Greensboro is duly organized, existing and operating under the laws of the State of North Carolina and the Constitution and laws of the United States is liable for damages judgment entered against the manager of the Koury Holiday Inn Hotel "in his official capacity" as a

result of action brought against him under 42 U.S.C. 1983, by plaintiff who had been assaulted and violated by the Inn's workers in the transgression of the Fourteenth Amendment to the Constitution of the United States.

3. Defendant Koury Corporation Holiday Inn is located on High Point Road, Greensboro, NC.

4. Defendant Mo Milani is general manager of Koury Corporation Holiday Inn. In an action brought under 42 U.S.C. 1983, a judgment entered against the manager of the Holiday Inn "in his official capacity," imposes liability on the entity its represents, the City of Greensboro, provided the City received notice and an opportunity to respond,

Brandon v Holt (1985 U.S.) 83 L Ed 2d 878, 105 S. Ct, 873, 40 FR Serv 2d 861.

5. Defendant Bill Jessup and Martin are the persons who violated the Fourteenth Amendment.

6. The conduct complained of was engaged in under color of state law and that such condict subjected plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and laws of the United States while engaged in the conduct complained of.

7. On November 30, and December 1, 1995, in Guilford County, North Carolina, Mo Milani, general manager of the Holiday Inn, "in his official capacity," acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others when defendant failed to conform to the requirements of the federal constitution and the laws of the United States when defendant acted with including but not limited to:arbitrariness, capriciousness, fraud, malice.

oppression, gross negligence, misrepresentation, deceit, RICO, trickery, active connivance, defamation, and kicked the plaintiff out of the Holiday Inn Hotel without due process of law and made false reports that plaintiff creates disturbances and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause in violation of the Fourteenth Amendment to the Constitution of the United States.

8. That defendant acted with racial discrimination in that all defendants are White and plaintiff is Black.

9. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, psychic injury and injury to his reputation. I pray for judgment in the sum of $125,000,000.00.

WHEREFORE, plaintiff prays for judgment in the sum in excess of $125,000,000.00 as follows,mental anguish, psychic injury and injury to his reputation. I pray for judgment in the sum of $125,000,000.00.

WHEREFORE, plaintiff prays for judgment in the sum in excess of $125,000,000.00 as follows,

1. Compensatory and punitive damages in the sum of $125,000,000 under 42 U.S.C.1983 - Civil Rights Act.

2. Intangible harm.

3. Attorney's fees under 42 U.S.C. 1988 Attorney Awards Act or as a component of punitive damages.

4. Costs and Expenses of this action and such other and further relief as the Court deems just and proper.

Respectfully submitted this the 28th day of August, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleading in this case.

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
1:00-MC-00050-WO-WWD
10-2002

ARTHUR O. ARMSTRONG) PLAINTIFFS
) MOTION FOR TO
Vs.) REOPEN CASE
) R. G. BATEMAN, et al

COMES NOW, Arthur O. Armstrong, the Plaintiff named in this action and moves this Honorable Court, for leave to reopen case for reason more fully set forth in plaintiff's motion for relief.

WHEREFORE, plaintiff prays that leave to reopen case be granted.

Respectfully submitted this 6th day of October, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that the foregoing motion was served on Counsel of record at the following address

REGULAR US MAIL:

Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, NC 27699-9001

Kari R. Johnson, Esq.
Cranfill Sumner & Hartzog
5420 Wade Park Boulevard
P.O. Box 27808,
Suite 300
Raleigh, NC 27611

October 6, 2009.

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
DURHAM DIVISION
1:00-MC-00050-WO-WWD
10-2002

ARTHUR O. ARMSTRONG	)
	) MOTION FOR
	) LEAVE TO
Vs.	) FILE AMENDED
	) COMPLAINT
R. G. BATEMAN, et al	)

COMES NOW, Arthur O. Armstrong, the plaintiff, named in this action and moves this Honorable Court for leave to file amended complaint pursuant to Rule 15 (a) of the Federal Rules of Civil Procedure, for reasons more fully set forth in plaintiff's motion for summary judgment.

WHEREFORE, plaintiff prays that leave to file amended complaint, be granted.

Respectfully submitted this the 6th day of October, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that the within and foregoing motion for leave to reopen case was served on all counsel at the following address:

REGULAR US MAIL:
Hal F. Askins, Esq.
North Carolina Department of Justice
9001 Mail Center
Raleigh, NC 27699-9001

Mrs. Kari Russwurm Johnson
CRANFILL SUMNER & HARTZOG, ,LLP
5420 Wade Park Boulevard
P. O. Box 27808
Raleigh, NC 27611

October 6, 2009.

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
DURHAM DIVISION
1:00-MC-00050-WO-WWD
10-2002

ARTHUR O. ARMSTRONG	) PLAINTIFF'S MOTION
	) FOR LEAVE TO FILE
Vs.	) MOTION FOR RELIEF
	) WITH SUPPORTING
R. G. BATEMAN, et al	) AFFIDAVIT AND
	) DOCUMENTATION
	) **(BRIEF II).**

COMES NOW, Arthur O. Armstrong, the plaintiff, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for leave to file motion for summary judgment, pursuant to Rule 56 (a) of the Federal Rules of Civil Procedure, on grounds that there is no genuine issue of material fact and that plaintiff is entitled to judgment in his favor as a matter of law.

IN SUPPORT HEREOF, plaintiff shows unto the Court that:

I. On or about December 13, 2000, district court dismissed plaintiff's case for failure to state a claim upon which relief can be granted. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files his Brief:

II. Defendant, Sylvester Daugherty, "in his official capacity," and magistracy John Doe, on April 16, 1999, violated plaintiff 's Fourth and Fourteenth Amendment rights (affidavit, p. 1, paragraph 12).John Doe #1, on June 2, 2000, acted with the 4th Amendment rights violation (id., paragraph 14) As a direct and proximate result of defendants' action, plaintiff suffered damages in the sum of $100,000,000 (id., paragraph 16).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that motion for leave for file summary judgment, pursuant to Rule 56 (a) of the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this 6th day of October, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

OF COUNSEL

ARTHUR O. ARMSTRONG, PRO SE
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear under penalty of perjury under United States laws that the statements are true and correct. (28 U.S.C. 1746.)

October 6, 2009

/s/ Arthur O. Armstrong, Plaintiff

CERTITICATE OF SERVICE

I certify that a true and correct copy of the within and foregoing motion for leave to file motion for summary judgment was served on all counsel of record by depositing copy of same in an envelope with adequate postage to ensure delivery at the following address:

REGULAR US MAIL:

Mrs. Kari R. Johnson
Cranfill Sumner & Hartzog,
5420 Wade Park Boulevard
P. O. Box 27808

Hal F. Askins, Esq.
Justice Department
9001 Mail Center
Raleigh, NC 27699
Suite 300
Raleigh, NC 27611

October 6, 2009.

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
DURHAM DIVISION
1:00-MC-00050
10-2002

ARTHUR O. ARMSTRONG,	)	
Plaintiff,	)	CIVIL RIGHTS
Vs.	)	VIOLATION
	)	
CITY OF GREENSBORO,	)	Amended
Complaint		
SYLVESTER DAUGHERTY	)	
R. G. BATEMAN,	)	42 U.S.C.
1983		
JOAN DOE,	)	
COUNTY OF GUILFORD,	)	
JOHN DOE,	)	
JOAN DOE #1,	)	
B. J. BARNES,	)	
JOHN DOE #1,	)	
JULIE B. ANTONELLI,	)	
Defendants	)	

Plaintiff alleges and says:

1. Plaintiff resides in the County of Wilson, NC.

2. Defendant City of Greensboro is a municipality, duly organized, existing and operating under the laws of the State of North Carolina and laws and Constitution of the United States and is liable for a damages judgment entered against the Chief of the Greensboro City Police Department "in his official capacity" as a result of an action brought against him under 42 U.S.C. 1983 by plaintiff who had been violated by city police officers for the transgression of the Fourth and Fourteenth Amendments to the Constitution of the United States.

3. Defendant Sylvester Daugherty is chief of Greensboro Police department. In an action brought under 42 U.S.C. 1983, a judgment entered against a public servant "in his official capacity" imposes liability on the public entity he represents, the City, provided the City receives notice and an opportunity to respond. **Brandon v Holt** (1985 US) 83 L Ed 2d

878, 105 S Ct 873, 40 FR Serv 2d 861.

4. Defendants R. G. Bateman and Joan Doe were city police officers who transgressed the 4th and 14th Amendments on April 16, 1999.

5. Defendant County of Guilford is the 18th judicial district of North Carolina, duly organized, existing and operating under the laws of the State of North Carolina and laws and federal constitution of the United States is liable for a damages judgments entered against the magistracy " in his official capacity" as a result of an action brought against him under 42 U.S.C. 1983 by plaintiff who had been violated by county magistrate for transgression of the 4th and 14th Amendments to the Constitution of the United States.

6. Defendant John Doe is magistracy of Guilford County. In an action brought under 42 U.S.C. 1983, a judgment entered against the magistracy "in his official capacity" imposes liability on the public entity he represents, the County, provided the County receives notice and an opportunity to respond. **Brandon v Holt** (1985 US) 83 L Ed 2d 878, 105 S Ct 873 40 FR Serv 2d 861.

7. Defendant Joan Doe is magistrate who transgressed the 4th and 14th Amendments.

8. Defendant B. J. Barnes is sheriff of Guilford County. In an action brought under 42 U.S.C. 1983, a judgment entered against the Sheriff of Guilford County "in his official capacity", imposes liability on the public entity he represents, the County, provided the public entity receives notice and an opportunity to respond. **Brando v Holt** (1985 US) 83.L 3d 2d 878,

105 S Ct 873,40 FR Serv 2d 861.

9. Defendant John Doe 1 is the deputy sheriff who transgressed the Fourth Amendment.

10. Defendant Julie B. Antonelli is the magistrate who acted with the 4th and 14th Amendments violation on June 2, 2002.

11. That the conduct complained of was engaged in under color of state law and that such conduct subjected plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and the laws of the United States while engaged in the conduct complained of.

12. Defendant, Chief, Sylvester Daugherty, "in his official capacity" on April 16, 1999, in Guilford County, North Carolina, acted with reckless indifference and wanton disregard for the truth or

falsity and the rights of plaintiff and others when defendant failed to conform to the requirements of the federal constitution and the laws of the United States when he **conspired** to go in disguise on the highway for the purpose of depriving, either directly or indirectly plaintiff of equal protection of the laws or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to plaintiff the equal protection of the laws when he acted with including but not limited to: capriciousness, fraud, malice, trickery, oppression, RICO, gross negligence, active connivance, deceit, falsity, misrepresentation, defamation, when defendant, without probable cause, stopped and detained plaintiff, made an entry,

without a warrant, onto private areas of personal premise of plaintiff, invaded his privacy, searched and seized his property in violation of the Fourth Amendment to the Constitution of the United States hauled plaintiff down to the jailhouse; and gave plaintiff a Breathalyzer and magistracy John Doe, "in his official capacity," jailed him without due process of law in violation of the 4th and 14th Amendments to the Constitution of the United States.

13. Ordered plaintiff, without probable cause, to appear in court, after illegally subjecting plaintiff to the Breathalyzer and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause in violation of the Fourteenth Amendment to the Constitution of the United States.

14. On June 2, 2000, defendant John Doe 1 "in his official capacity," without probable cause, arrested plaintiff and took him to the Guilford County jailhouse in violation of the Fourth Amendment to the Constitution of the United States.

15. Defendant magistracy John Doe jailed plaintiff on false reports that plaintiff failed to appear and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause.

16. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, psychic injury and injury to his reputation, I pray for judgment in the sum of $100,000,000.00.

WHEREFORE, plaintiff prays for judgment in the sum of $100,000,000 as follows:

1. Compensatory and punitive damages in the sum of $100,000,000 under 42 U.S.C. 1983 - Civil Rights Act.

2. Intangible Harm.

3. Attorney's fees under 42 U.S.C. 1988 - Attorney's Awards Act, or as a component of punitive damages.

4. Costs and Expenses of this action and such other and further relief as the Court deems just and proper.

Respectfully submitted this the 6th day of October, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this case.

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
2:96-CV-00855-WLO
(10-2003)

ARTHUR O. ARMSTRONG

Vs.

OFFICER WATSON, COOKE

COMES NOW, Arthur O. Armstrong, the plaintiff named in this action and moves this honorable court for leave to reopen case for reason more fully set forth in plaintiff's motion for relief.

WHEREFORE, plaintiff prays that leave to reopen case be granted.

Respectfully submitted this 27th day of August, 2010

/s/ Arthur O. Armstrong

CERTIFICATION OF SERVICE

I certify that a true and correct copy of the within and foregoing motion was served on all counsel at the following address:

REGULAR US MAIL:
Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, North Carolina

Kari R. Johnson, Esq.
CRANFILL SUMNER & HARTZOG, LLP
5420 Wade Park Boulevard
Suite 300
Raleigh, North Carolina 27611

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT
OF NORTH CAROLINA
WESTERN (DURHAM) DIVISION
2-96-CV-00855-WLO
(10-2003)

ARTHUR O. ARMSTRONG) PLAINTIFF'S
) MOTION FOR LEAVE
Vs.) TO FILE AMENDED
) COMPLAINT
) WATSON & COOK, et al

COMES NOW, Arthur O. Armstrong, the plaintiff, named in this action and moves this Honorable Court, pursuant to Rule 15 (a) of the Federal Rules of Civil Procedure, for leave to file amended complaint for reasons more fully set forth in plaintiff's motion for relief.

WHEREFORE, plaintiff prays that leave to file amended complaint be granted.

Respectfully submitted this the 27th day of August, 2010.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of motion for leave to file amended complaint was served on all counsel at the following address:

REGULAR US MAIL:

Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, NC 27699

Kari R. Johnson, Esq.
Cranfill Sumner & Hartzog,
5420 Wade Park Blvd,
Ste 300
Raleigh, NC 27611

August 27, 2010.

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
WESTERN (DURHAM) DIVISION
2-96-CV-00855-WLO
10-2003

ARTHUR . ARMSTRONG) PLAINTIFF'S MOTION
) FOR LEAVE TO FILE
Vs.) MOTION FOR RELIEF
) PURSUANT RULE 60
WATSON & COOK, et al) (b)(6) (**BRIEF II**).

COMES NOW, Arthur O. Armstrong, the plaintiff, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for leave to file motion for relief, pursuant to Rule 60 (b) (6) of the Federal Rules of Civil Procedure, on grounds that there is no genuine issue of material fact and that plaintiff is entitled to judgment in his favor as a matter of law.

IN SUPPORT HEREOF, plaintiff shows unto the Court that:

I. District court granted motion in favor of defendant thereby dismissing plaintiff's action for failure to state a claim. Plaintiff amended complaint cures all defects.

NOW THEREFORE, plaintiff files his Brief:

II. The defendant Sylvester Daugherty, "in his official capacity" acted in a conspiracy (affidavit, p. 1, paragraph 6). In the furtherance of such a conspiracy, made false reports (id., paragraph 7); aided and abetted after the fact such a conspiracy (id., paragraph 11). As a direct and proximate result of defendants' action, plaintiff suffered damages in the sum of $100,000,000 (id., paragraph 12).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that leave for file motion for relief, pursuant to Rule 60 (b)(6) of the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this 27th day of August, 2010.

Respectfully submitted,

/s/ Arthur O. Armstrong,

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear under penalty of perjury under United States laws that the statements are true and correct (28 U.S.C. 1746.)

August 27, 2010

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the within and foregoing motion for leave to file motion for relief was served on all counsel of record by depositing copy of same in an envelope with adequate postage to ensure delivery at the following address:

REGULAR US MAIL:

Hal F. Askins, Esq.
9001 Mail Center
Department of Justice
Raleigh NC 27699-0001

Kari R. Johnson. Esq.
Cranfill Sumner & Hartzog
5420 Wade Park Blvd.
P.O. Box 27808, Ste 300
Raleigh, NC 27611

August 27, 2010.

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
WESTERN (DURHAM) DIVISION
2-96-CV-00855-WLO
(10-2003)

ARTHUR O. ARMSTRONG,	)	
Plaintiff	)	Amended Complaint
Vs.	)	
	)	Civil Rights
CITY OF GREENSBORO,	)	
SYLVESTER DAUGHERTY,	)	
OFFICER COOK,	)	42 U.S.C.1983
OFFICER WATSON,	)	
Defendants.	)	

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson, NC.

2. Defendant City of Greensboro is a municipality duly organized, existing and operating under the laws of the State of North Carolina and the Constitution and laws of the United States and is liable for the damages judgment entered against the director of the Police Department as a result of an

action brought against him under 42 U.S.C. 1983 by plaintiff who had been violated by conspiratorial action to interfere with his civil right by transgression of the Fourth and Fourteenth Amendment to the Constitution of the United States by his police officers.

3. Defendant Sylvester Daugherty is chief of police. In an action brought against chief of police under 42 U.S.C. 1983, a judgment entered against Sylvester Daugherty "in his official capacity" imposes liability on the public entity he represents, the City of Greensboro, provided the City received notice and an opportunity to respond **Brandon v Holt** (1985 US) 83 L Ed 2d 878, 105 S Ct 873, 40 FR Serv 2d 861.

4. Defendants officers Watson and Cook are the defendants who acted in a conspiracy.

5. That the conduct complained of was engaged in under color of state law and that such conduct subjected plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and the laws of the United States while engaged in the conduct complained of.

6. The defendants acted in a conspiracy.

7. In the furtherance of such a conspiracy, on

October 3, 1996 in Guilford County, North Carolina, the defendants acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others when defendants failed to conform to the requirements of the federal constitution and the laws of the United States when defendant Sylvester Daugherty "in his official capacity" conspired to go in disguise on the premise of the holiday Inn for the purpose of depriving, either directly or indirectly, Mr. Armstrong of equal

protection of the laws or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to plaintiff within any State of Territory the equal protection of the laws when defendant acted with including but not limited to: arbitrariness, capriciousness, fraud, malice, trickery, oppression, RICO, gross negligence, racial discrimination, active connivance, deceit, falsity, misrepresentation, defamation; made false reports that plaintiff's tenant was in fear of being put out of her room and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause in violation of the Fourteenth Amendment to the Constitution of the United States.

8. 42 U.S.C. 1985 prohibits conspiracies to interfere with civil rights and 1986 proscribes knowing neglect to prevent (or aid and abet after the fact) such a conspiracy.

9. Each conspirator had knowledge of the wrongs conspired to be done and had the power to prevent or aid in preventing the commission of the same but failed or neglected so to do.

10. That each defendant did some act or omitted some duty and as a result of the commission, plaintiff was deprived of having and exercising any right or privilege of a citizen of the United States

11. That the defendants aided and abetted after he fact such a conspiracy.

12. As a direst and proximate result of the defendant's conspiratorial action, plaintiff suffered continuing injuries including but not limited to:

mental distress, mental anguish, psychic injury and injury to his reputation, I pray for judgment in the sum of $100,000,000.00.

WHEREFORE, plaintiff prays for judgment in the sum of $100,000,000 as follows:

1. Compensatory and punitive damages in the sum of $100,000,000 under 42 U.S.C. 1983, 1985-1986 - Civil Rights Act.

2. Intangible Harm.

3. Attorney's fees under 42 U.S.C. 1988 -

Attorney's Awards Act, or as a component of punitive damages.

4. Costs and Expenses of this action and such other and further relief as the Court deems just and proper..

Respectfully submitted this the 27th day of August, 2010.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this case.

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA

ARTHUR O. ARMSTRONG	) MOTION FOR LEAVE
	) TO REPOEN CASE
Vs.	)
	)
M. H. GOODWIN, et al	)

COMES NOW, the plaintiff named in this action and moves this court for leave to reopen case for reasons more fully set forth in motion for summary judgment.

WHEREFORE, plaintiff prays that leave to reopen be granted.

Respectfully submitted this 19th day of August, 2010.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I served all counsel on record in accordance to the Federal Rules of Civil Procedure.

November, 19, 2010
/s/ Arthurt O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT
OF NORTH CAROLINA
1:00-mc-00123-WO-WWD
(10-2004)

ARTHUR O. ARMSTRONG	) PLAINTIFF'S
	) MOTION FOR
Vs.	) LEAVE TO FILE
	) AMENDED
CITY OF DURHAM, et al	) COMPLAINT

COMES NOW, Arthur O. Armstrong, the plaintiff named in this action and moves this Honorable Court for leave to file amended complaint pursuant to Rule 15 (a) of the Federal Rules of Civil Procedure, and for reasons more fully set forth in plaintiff's motion for relief.

WHEREFORE, plaintiff prays that leave to file amended complaint be granted. Respectfully submitted this 27th day of August, 2010.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of motion to file amended complaint was served on all counsel at the following address:

REGULAR US MAIL:

Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, NC 27699-9001

Kari R. Johnson. Esq.
CRANFILL SUMNER & HARTZOG, LLP
5420 Wade Park Boulevard,
PO Box 27808
Raleigh, NC 27611

August 27, 2010.

/s/Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
WESTERN (DURHAM) DIVISION
1: 00-mc-00123-WWD-WO
(10-2004)

ARTHUR O. ARMSTRONG	) PLAINTIFF'S
	) MOTION FOR LEAVE
Vs.	) TO FILE MOTION
	) FOR RELIEF, WITH
CITY OF DURHAM, et al	) SUPPORTING
	) AFFIDAVIT AND
	) DOCUMENTATION
	) **(BRIEF II).**

COMES NOW, Arthur O. Armstrong, the plaintiff named in this action and moves this Honorable Court, with supporting affidavit and documentation, for leave to file motion for relief, pursuant to Rule 60 (b) (6) of the Federal Rules of Civil Procedure, on grounds that there is no genuine issue of material fact and that plaintiff is entitled to judgment in his favor as a matter of law.

IN SUPPORT HEREOF, plaintiff shows unto the Court that:

I. Plaintiff instituted action in this court in 2000 alleging civil rights violation. District court denied plaintiff's complaint for failure to state a claim. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files his Brief:

II. On January 12, 2000 , defendant City of Durham Police Department "in its official capacity" acted with the Fourth and Fourteenth Amendment violations (affidavit, p. 1, paragraph 6). Defendant made false reports that plaintiff acted with criminal offense (id., paragraph 7). As a direct and proximate result of defendant's action, plaintiff suffered damages in the sum of $100,000,000 (id., 8).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that leave to file motion for relief, pursuant

to Rule 60 (b) (6) of the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this 27th day of August, 2010.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff,

ARTHUR O. ARMSTRONG, PRO SE
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear under penalty of perjury under United States laws that the statements are true and correct (28 U.S.C. 1746.)

August 27, 2010.

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct motion was served on all counsel of record by depositing a copy of same in an envelope with adequate postage affixed thereon to ensure delivery addressed as follows:

REGULAR US MAIL:

Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, NC 27699-9001

Kari R. Johnson Esq.
Cranfill, Sumner & Hartzog,
5420 Wade Park Blvd,
Ste 300
Raleigh, NC 27607

August 27, 2010

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
WESTERN (DURHAM) DIVISION
1:00-mc-00123-WWD-WO
(10-2004)

ARTHUR O. ARMSTRONG, Plaintiff,	)	Civil Rights Violation
	)	Amended Complaint
Vs.	)	
	)	42 U.S.C.1983
CITY OF DURHAM, **JOSE LOPEZ, SR.**, M. H. GOODWIN, Defendants.	)	

Defendant alleges and says.

1. Plaintiff resides in the City of Elm City, County of Wilson, NC.

2. Defendant City of Durham is a municipality, duly organized, existing and operating under the laws and Constitution of the United States and is liable for a damages judgment entered against defendant Jose Lopez, Sr. "in his official capacity," as a result of an action brought against him under 42

U. S. C. statute 1983 by plaintiff who had been violated by police officer for transgression of the Fourth and Fourteenth Amendment to the Constitution of the United States.

3. Defendant Jose Lopez, Sr. is Chief of the Police Department. In an action brought under 42 U. S. C. statue 1983, a judgment entered against defendant Jose Lopez, Sr. "in his official capacity" imposes liability on the public entity he represents, the City of Durham, provided the City received notice and an opportunity to respond. **Brandon v Holt** (1985 US) 83 L Ed 2d 878, 105 S Ct 873, 40 FR Serv 2d 861.

4. Defendant M. H. Goodwin is police officer who transgressed the Fourth and Fourteenth Amendments to the Constitution of the United States.

5. The conduct complained of was engaged in under color of state law and that such conduct subjected plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and the laws of the United States while engaged in the conduct complained of.

6. On January 12, 2000, in Durham County, North Carolina, defendant Jose Lopez, Sr. "in his official capacity" acted with Fourth and Fourteenth Amendment violations when defendant failed to conform to the requirements of the federal constitution and the laws of the United States when
defendant acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others when defendant acted with including but not limited to: arbitrariness, falsity, capriciousness, fraud, malice, unfairness,

RICO, deceit, misrepresentation, gross negligence, extortion, obstruction, kidnapping, defamation and conspiracy when defendant, without probable cause, stopped and detained plaintiff, made an entry, without a warrant, onto private areas of personal premise of plaintiff, searched and seized his property and invaded his privacy in violation of the Fourth Amendment to the Constitution of the United States.

7. Defendant made false reports that plaintiff acted with DWLR and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause; then took plaintiff's driver's license without due process of law in violation of the Fourteenth Amendment to the Constitution of the United States.

8. As a direct and proximate result of defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress, mental anguish, psychic injury and injury to his reputation. I pray for judgment in the sum of $100,000,000.

WHEREFORE, plaintiff prays for judgment in the sum of $100,000,000 as follows:

1. Compensatory and punitive damages in the sum of $100,000,000 under 42 U.S.C. 1983 - Civil Rights Act.

2. Attorney's fees under 42 U.S.C. 1988 - Attorney's Awards Act or as a component of punitive damages.

3. Costs and Expenses of this action and such other and further relief as the Court deems just and proper.

Respectfully submitted this 27th day of August, 2010.

Respectfully submitted,

s/Arthur O. Armstrong, Plaintiff

Plaintiff hereby demands trial by jury on all issues raised by the pleading in his action.

DEMAND TRIAL BY JURY

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
1:99-CV-00071
10-2005

ARTHUR O. ARMSTRONG	) PLAINTIFF'S
	) MOTION FOR LEAVE
Vs.	) TO REOPEN CASE
	)
UNITED STATES, et al	)

COMES NOW, Arthur O. Armstrong, the plaintiff named in this action and moves this Court for leave to reopen action for reasons more fully set forth in plaintiff's motion for relief.

WHEREFORE, plaintiff prays that leave to reopen case be granted.

Respectfully submitted this the 28th day of August, 2009.

Respectfully submitted,

CERTIFICATE OF SERVICE

I certify that a true and correct copy of motion for leave to reopen action was served on all counsel at the following address:

REGULAR US MAIL:

Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, NC 27699

Kari R. Johnson, Esq.
CRANFILL SUMNER
& HARTZOG, LLP
5420 Wade Park Blvd.
Ste 300
Raleigh, NC 27611

August 28, 2009.
/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
1:99-CV-0071
10-2005

ARTHUR O. ARMSTRONG	)
	)
Vs.	) PLAINTIFF"S
	) MOTION FOR LEAVE
UNITED STATES, et al	) TO FILE AMENDED
	) COMPLAINT

COMES NOW, Arthur O. Armstrong, the plaintiff named in this case and moves this Court for leave to file amended complaint for reasons more fully set forth in plaintiff's motion for relief.

WHEREFRE, plaintiff prays that leave to file Rule 60 (b) (6) motion for relief, be granted.

Respectfully submitted this the 22nd day of August, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the within and foregoing motion for leave was served on all parties by depositing copy of same in the United States Mail in an envelope at the following address:

REGULAR US MAIL:

Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, NC 27699-9001

Kari R. Johnson, Esq.
Cranfill Sumner & Hartzog
5420 Wade Park Blvd
Ste 300
Raleigh, NC 27611

August 28, 2009.
/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
1:99-CV-00071
10-2005

ARTHUR O. ARMSTRONG	)PLAINTIFF'S MOTION
	)FOR LEAVE TO FILE
Vs.	) MOTION FOR
	) RELIEF, WITH
UNITED STATES, et al	) SUPPORTING
	) AFFIDAVIT &
	) DOCUMENTATION
	) **(BRIEF II)**.

COMES NOW, Arthur O. Armstrong, the plaintiff in this case and moves this Honorable Court, with supporting affidavit and documentation, for relief, pursuant to Rules 60 (b) (6) of the Federal Rules of Civil Procedure, on grounds that there is no genuine issue of material fact and that plaintiff is entitled to judgment in his favor as a matter of law.

IN SUPPORT HEREOF, plaintiff shows unto the Court that:

I. On 1999, plaintiff instituted action in this Court alleging civil rights violation. Case was denied on grounds that complaint failed to state a claim. Plaintiff's amended complaint cures all defects.

NOW THEREFORE, plaintiff files his Brief:

II. Defendant clerk of court, "in his official capacity," conspired with district court when he made false reports that 9-9-99 document was not received (affidavit, p. 2, paragraph 6). In an order of October 1, 1999, district court denied plaintiff total access to the federal court without due process of law (id.,, paragraph 7) and damaged plaintiff in the sum of $100,000,000 (id., paragraph 8).

SUMMARY

Because of the foregoing, plaintiff respectfully requests that leave to file motion for summary judgment, pursuant to Rule 56 (a) of the Federal Rules of Civil .Procedure, be granted.

Respectfully submitted this 28th day of August, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

ARTHUR O. ARMSTRONG, PRO SE
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O.ARMSTRONG

I swear under penalty of perjury under US Laws that the within and foregoing statements are true and correct (28 U.S.C. 1746)

August 28, 2009

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the within and foregoing motion for leave to file motion for summary judgment was served on all counsel of record by depositing copy of same in the United States Mail in an envelope with adequate postage affixed thereon to ensure delivery at the following address:

REGULAR US MAIL:

Hal F. Askins
Department of Justice
9001 Mail Center
Raleigh, NC 27699-9001

Kari R. Johnson, Esq.
Cranfill Sumner & Hartzog
5429 Wade Park Blvd,
Suite 300
Raleigh, NC27611

August 28, 2009

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
1:99-CV-00071
10-2005

ARTHUR O. ARMSTRONG,		
PLAINTIFF,	)	CIVIL RIGHTS
	)	VIOLATION
Vs.	)	
	)	42 U.S.C. 1983
UNITED STATES,	)	
BARACK OBAMA,	)	
WILLIAM L. OSTEEN,	)	Amended Complaint
JOHN DOE #1,	)	
JOAN DOE #2,	)	
DEFENDANTS,	)	

Plaintiff alleges and says:

1. Plaintiff resides in the County of Wilson, North Carolina.

2. Defendant United States is duly organized, existing and operating under the laws of the United States and the Constitution and the laws of the United States and under color of its authority and is liable for a damages judgment entered against a United States President "in his official capacity" as a

result of an action brought against him under 42 U.S.C. 1983 by plaintiff who had been violated by the transgression of a United Stated Judge for violation of the Fourteenth Amendment to the Constitution of the United States.

3. Defendant Barack Obama President of the United States. In an action brought under 42 U.S.C. 1983 , a judgment entered against a public servant "in his official capacity," imposes liability on the public entity ihe represents, the United States, provided the United States received notice and an opportunity to respond. **Brandon v Holt** (1985 US) 83 L Ed 2d 878, 105 S. Ct 873, 40 FR Serv 2d 861.

4. Defendant William L. Osteen is the judge who transgressed federal law.

5. Defendant John Doe #1 is clerk of United States District Court for the Middle District of North

Carolina. In an action brought under 42 U.S.C. 1983, a judgment entered against a public servant "in his official capacity" imposes liability on the public entity he represents, the United States, provided the public entity received notice and an opportunity to respond. **Brandon v Holt** (1985 US) L 83 Ed 2d 878, 105 S Ct 873, 40 FR Serv 2d 861

6. Defendant Joan Doe #2 was deputy clerk who transgressed the 14th Amendment to the Constitution.

7. The conduct complained of was engaged in under color of state law and that such conduct subjected plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and laws of the United States while engaged in the conduct complained of.

6. That defendants John Doe, clerk of court, "in

his official capacity" and chief Judge James Beaty "in his official capacity" acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others when defendants failed to conform to the requirements of the federal constitution and the laws of the United States when defendants acted with including but not limited to: arbitrariness, capriciousness, fraud, malice, RICO, gross negligence, falsity, trickery, extortion, racial profiling, conspiracy, deceit, misrepresentation, oppression, active connivance, fraud, fraudulent intent, defamation and breach of the Constitution when defendant Clerk of District Court " in his official capacity" acted with active connivance in the making of false reports that plaintiff's 9-9-99 document was not received, perhaps went to superior court when in fact the document was signed as been

received by the clerk on 9-9-99 and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause in violation of the Fourteenth Amendment to the Constitution of the United States.

7. Defendant President Barack Obama, "in his official capacity" on October 1, 1998, denied plaintiff total access to the United States District Court for the Middle District of North Carolina when defendant in an "Order" awarding Koury Corporation the sum of $4, 725.00 for enforcing racial segregation in violation of the integration law and in violation of the 14th Amendment to the Constitution of the United States.

8. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress,

mental anguish, psychic injury and injury to his reputation. I pray for judgment in the sum of $100,000,000.00.

WHEREFORE, plaintiff prays for judgment in the sum of $100,000,000.00 as follows:

1. Compensatory and punitive damages in the sum of $100,000,000.00 under 42 U.S.C.1983 - Civil Rights Act.

2. Intangible harm.

3. Attorney's fees under 42 U.S.C. 1988 Attorney Awards Act or as a component of punitive damages.

4. Costs and Expenses of this action and such other and further relief as the Court deems just and proper.

Respectfully submitted this the 28th day of August, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleading in this case.

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
2:95-CV-00434-WLO
(10-2006)

ARTHUR O. ARMSTRONG,) PLAINTIFF'S
) MOTION FOR LEAVE
) TO REOPEN CASE
Vs.)
)
CITY OF GREENSBORO, et al)

COMES NOW, Arthur O. Armstrong, the plaintiff named in this action and moves the Honorable Court, for leave to reopen case for reason more fully set forth in plaintiff's motion for summary judgment.

WHEREFORE, plaintiff prays that leave to reopen case be granted.

Respectfully submitted this 20th day of March, 2009.

Respectfully submitted,
/s/Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of motion for leave to file motion to reopen case was served on all counsel of record by depositing copy of same in the United States Mail at the following address:

REGULAR US MAIL:

Hal F. Askins
Department of Justice
9001 Mail Center
Raleigh, NC 27699-9001

Kari R. Johnson, Esq.
Cranfill Sumner & Hartzog
5420 Wade Park Blvd.
P. O. Box 27808, Ste 300
Raleigh, NC 27611

March 20, 2009

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
2:95-CV-00434-WLO
(10 -2006)

ARTHUR O. ARMSTRONG	) PLAINTIFF'S
	) MOTION FOR
Vs.	) LEAVE TO FILE
	) AMENDED
CITY OF GREENSBORO, et al	) COMPLAINT

COMES NOW, Arthur O. Armstrong, the plaintiff, named in this action and moves this Honorable Court for leave to file amended complaint, pursuant to Rule 15 (a) of the Federal Rule of Civil Procedure, for reasons more fully set forth in plaintiff's motion for summary judgment.

WHEREFORE, plaintiff prays that leave to file amended complaint, be granted.

Respectfully submitted this the 20th day of March, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the within and foregoing motion for leave to amend was served on all counsel of record by depositing copy of same in the United States Mail in an envelope with adequate postage affixed thereon to ensure delivery at the following address:

REGULAR US MAIL

Kari R. Johnson, Esq.
Cranfill Sumner & Hartzog,
5420 Wade Park Boulevard
Suite 300
P. O. Box 27808
Raleigh, NC 27611

Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, NC 27699

March 20, 2009.

/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
2:95-CV-00434-WLO
(10-2006)

ARTHUR O. ARMSTRONG)	PLAINTIFF'S
	) MOTION FOR LEAVE
	) TO FILE MOTION
Vs.	) FOR RELIEF, WITH
	) SUPPORTING
	) AFFIDAVIT AND
CITY OF GREENSBORO, Et al)	DOCUMENTATION
	) **(BRIEF II).**

COMES NOW Arthur O. Armstrong, the plaintiff, named in this action and moves this Honorable Court, with supporting affidavit and documentation, for leave to file motion for relief, pursuant to Rule 60 (b) (6) of the Federal Rules of Civil Procedure, on grounds that there is no genuine issue of material fact and that plaintiff is entitled to judgment in his favor as a matter of law.

IN SUPPORT HEREOF, plaintiff shows unto the Court that:

I. On or about October 15, 1995, district court dismissed plaintiff's case for failure to state a claim upon which relief can be granted. Plaintiff's Amended complaint cures all defects.

NOW THEREFORE, plaintiff files his Brief:

II. Defendant, Sylvester Daugherty, "in his official capacity," violated plaintiff 's Fourteenth Amendment (affidavit, p. 1, paragraph 9). As a direct and proximate result of defendants' action, plaintiff suffered damages in the sum of $100,000,000 (id., paragraph 7).

SUMMARY:

Because of the foregoing, plaintiff respectfully requests that motion for leave for file summary judgment, pursuant to Rule 56 (a) of the Federal Rules of Civil Procedure, be granted.

Respectfully submitted this 20th day of March 20, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

OF COUNSEL:

ARTHUR O. ARMSTRONG, PRO SE
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912

AFFIDAVIT OF ARTHUR O. ARMSTRONG

I swear under penalty of perjury under United States laws that the statements are true and correct(28 U.S.C. 1746.)

March 20, 2009

/s/ Arthur O. Armstrong, Plaintiff

CERTITICATE OF SERVICE

I certify that a true and correct copy of the within and foregoing motion for leave to file motion for summary judgment was served on all counsel of record by depositing copy of same in an envelope with adequate postage to ensure delivery at the following address:

REGULAR US MAIL:

Kari R. Johnson, Esq.
Cranfill Sumner & Hartzog
5420 Wade Park Boulevard
P. O. Box 27808
Suite 300
Raleigh, NC 27611

Hal F. Askins, Esq.
Department of Justice
9001 Mail Center
Raleigh, NC 27699-9001

March 20, 2009.
/s/ Arthur O. Armstrong, Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA
2:95-CV-00434-WLG
(09-2006)

ARTHUR O. ARMSTRONG,	)	
Plaintiff,	)	CIVIL RIGHTS
	)	VIOLATION
Vs.	)	
	)	
CITY OF GREENSBORO,	)	Amended Complaint
SYLVESTER DAUGHERTY,	)	
D. W. SCOTT,	)	42 U.S.C. 1983
ERNEST J. ALBRIGHT,	)	
JOHN DOE,	)	
Defendants,	)	

Plaintiff alleges and says:

1. Plaintiff resides in the City of Elm City, County of Wilson, NC.

2. Defendant City of Greensboro is a municipality duly organized, existing and operating under the laws of the State of North Carolina and the Constitution and laws of the United State and is liable for a damages judgment entered against the Chief of the Greensboro City Police Department "in

his official capacity," as a result of an action brought against him under 42 U.S.C. 1983 by plaintiff who had been violated by city police officer's transgression of federal law.

3. Defendant Sylvester Daugherty is Chief of City of Greensboro Police Department. In an action brought under 42 U.S.C. 1983, a judgment entered against a public servant "in his official capacity" imposes liability on the public entity he represents, the City of Greensboro, provided the City of Greensboro received notice and an opportunity to respond. **Brandon v Holt** (1985 US) 83 L Ed 2d 878, 105 S Ct 873 40 FR Serv 2d 861.

4. Defendant D. W. Scott is city police officer who transgressed the 14th Amendment to the Constitution of the United States.

5. Defendant Ernest Albright is defendant who

drove vehicle reckless in excess of 55 mph in violation of city speed limit of 35 mph.

6. Defendant John Doe acted friendly with police officer and Albright is a conspiracy.

7. That plaintiff is Black and defendants Ernest J. Albright, John Doe and D.W. Scott are White.

8. That the conduct complained of was engaged in under color of state law and that such conduct subjected plaintiff of the deprivation of rights, privileges and amenities secured by the federal constitution and the laws of the United States while engaged in the conduct complained of.

9. Defendant, Chief, Sylvester Daugherty, "in his official capacity" on September 25, 1992, in Guilford County, North Carolina, after the accident, conspired to go in disguise on the highway for the purpose of depriving, either directly or indirectly

plaintiff of equal protection of the laws or of equal privileges and immunities under the laws or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to plaintiff the equal protection of the law, when defendant acted with reckless indifference and wanton disregard for the truth or falsity and the rights of plaintiff and others when defendant failed to conform to the requirements of the federal constitution and the laws of the United States when defendant acted with including but not limited to: arbitrariness, conspiracy, capriciousness, fraud, malice, trickery, oppression, RICO, gross negligence, active connivance, deceit, falsity, misrepresentation, defamation, when defendant acted with racial discrimination; refused to take statements from plaintiff and refused to give police reports to plaintiff

and take reports from plaintiff's witness that defendant's Ernest J. Abright's vehicle struck with such impact that plaintiff's car was knocked at least 25 feet from impact; off the highway onto Koury Corporation parking lot striking another car. Defendant made false reports that plaintiff's vehicle traveled 0 feet after the impact and other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause in violation of the Fourteenth Amendment to the Constitution of the United States.

10. That defendant made false reports that plaintiff made an illegal left turn causing the accident.

11. As a direct and proximate result of the defendant's action, plaintiff suffered continuing injuries including but not limited to: mental distress,

mental anguish, psychic injury and injury to his reputation, I pray for judgment in the sum of $100,000,000.00.

WHEREFORE, plaintiff prays for judgment in the sum of $100,000,000 as follows:

1. Compensatory and punitive damages in the sum of $100,000,000 under 42 U.S.C. 1983 - Civil Rights Act.

2. Intangible Harm.

3. Attorney's fees under 42 U.S.C. 1988 Attorney's Awards Act, or as a component of punitive damages.

4. Costs and Expenses of this action and such other and further relief as the Court deems just and proper..

Respectfully submitted this the 20th day of March, 2009.

Respectfully submitted,

/s/ Arthur O. Armstrong, Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands trial by jury on all issues raised by the pleadings in this case.

/s/ Arthur O. Armstrong, Plaintiff

OF COUNSEL:

ARTHUR O. ARMSTRONG, PRO SE
8113 PLEASANT HILL ROAD
ELM CITY, NC 27822
252-236-7912